



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

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Rose, Martha
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June 5, 1986

6-5-86

Kenneth J. Kulinowski
Environmental Technology, Inc.
Suite 660 Penntower
3100 Broadway
Kansas City, Missouri 64111

Re: Martha C. Rose Chemicals, Inc., et al.
Docket No. 86-F-0006

Dear Mr. Kulinowski:

During our meeting of June 3, 1986, representatives of Environmental Technology, Inc. (ETI) stated that the company wished to evaluate their position with respect to compliance with the terms of the Administrative Order that was issued in the above-referenced matter.

Acknowledging the fact that ETI has undertaken some response activities with respect to the May 1986 PCB spill, certain provisions of the Administrative Order that required immediate attention have not been implemented (paragraphs 1 through 5 of the Order). The Agency has agreed to extend the deadline for submitting the inventory/disposal plan to 5:00 p.m., June 17, 1986. EPA expects that, upon the submittal of an inventory/disposal plan, or any other plan, by ETI pursuant to the Order, ETI will at that time provide assurances that the plan can be and will be implemented immediately upon approval by EPA. Each plan submitted to EPA must identify the source of funds for implementation of that plan and certify that funds are available. Implementation of a plan cannot be conditioned upon obtaining future financial assistance from third parties. Funds for implementation must be available prior to submission of a plan.

Under the terms of paragraph 9 of the Order, Respondents Martha C. Rose, Inc., ETI, American Steel Works, Inc., W.C. Carolan Company, Inc., and Walter C. Carolan were required to provide, by 5:00 p.m., May 30, 1986, telephonic and written notification as to what actions said Respondents intended to

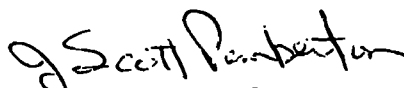


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undertake pursuant to the terms of paragraphs 2 through 13 of the Order. EPA agreed to extend this requirement until after the June 3 meeting among the concerned parties. By this letter, the new deadline for providing the required telephonic and written notification is extended to 5:00 p.m., June 10, 1986. Providing the intent to undertake any of the response actions required by the Order must be absolute and unconditional.

If you have any questions, please contact me at 236-2809.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Scott Pemberton". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

J. Scott Pemberton
Assistant Regional Counsel

cc: John F. Papsidero, Esq.
James R. Anderson, Esq.
James G. Trimble, Esq.
Daniel Bukovac, Esq.